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**JCWS/CS 30 APR 2004**

From: GJH 425-455-1046 To: USPTO

Date: 4/29/2004 Time: 5:04:20 PM

Page 1 of 11

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TECHNOLOGY LICENSING  
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April 29, 2004

**FACSIMILE MESSAGE – COVER SHEET**

To: Office of Initial Patent Examination's Filing Fax number: 1-703-746-9195  
Receipt Corrections

Company: U.S. Patent and Trademark Office Application No.: 10/644,654

No. of pages: 10

From: Tuddy Denby for John M. Janeway Our Ref: 1984-2-3

Regarding: DEVICE AND METHOD FOR COMMINUTING MATERIALS

**Message:**

Attached please find a Request for Correction to Updated Filing Receipt and supporting documents.

Tuddy Denby

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PAGE 1/11 \* RCVD AT 4/29/2004 8:04:17 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/0 \* DNIS:7469195 \* CSID: \* DURATION (mm:ss):04:42

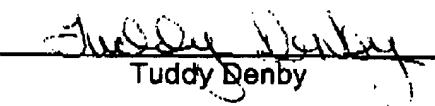
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lynn P. Tessier et al.  
Title: DEVICE and METHOD FOR COMMINUTING MATERIALS  
Application No.: 10/644,654  
Filing Date: 20 August 2003  
Examiner/Unit: /3725  
Attorney Docket No.: 1984-2-3

## CERTIFICATE OF TRANSMISSION

Date of facsimile transmission: April 29, 2004

I hereby certify that this correspondence is being transmitted via facsimile to Fax number (703) 746-9195, Office of Initial Patent Examination's Filing Receipt Corrections, on the date indicated below and is addressed to the Commissioner for Patents on this 29 day of April, 2004.

  
Tuddy Denby

## REQUEST FOR CORRECTION OF UPDATED FILING RECEIPT

COMMISSIONER FOR PATENTS  
APPLICATIONS PROCESSING DIVISION  
CUSTOMER CORRECTION BRANCH

## Status:

An Updated Filing Receipt for the above-referenced patent application has been issued by the PTO. The Updated Filing Receipt sets forth inaccuracies concerning the present application. The instant request provides the PTO with correct data so that the records for this patent application may be appropriately updated.

The Updated Filing Receipt indicates that no address was provided for Inventors Russell M. Graham, and Fan Jiang. However, as indicated on the Declaration filed with

missing parts on 13 January 2004, Mr. Russell M. Graham resides in **Calgary, Canada** and Mr. Fan Jiang also resides in **Calgary, Canada**. A copy of the as-filed Declaration is attached.

Also, the Updated Filing Receipt indicates a Filing Fee of \$637 was filed with the missing parts on 13 January 2004. However, as indicated on the Fee Transmittal Form, Check No. 21595, and the Return Postcard \$636 was filed for the application filing fee, extra claims, and late declaration. A copy of these documents are attached for reference.

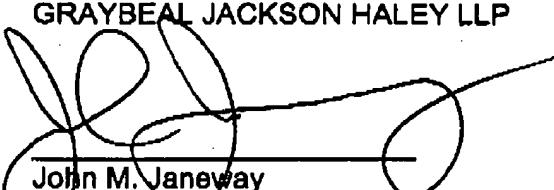
A copy of the PTO's Updated Filing Receipt with corrections made therein is included with this request. Reference to the Updated Filing Receipt and the enclosed documents should provide the Office with sufficient evidence to support Applicants' request for correction.

A correction of the Updated Filing Receipt is respectfully requested in this regard.

Should the Customer Correction Branch have any questions concerning this Request For Correction of Updated Filing Receipt a call to the undersigned is strongly encouraged.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



John M. Janeway  
Attorney for Applicant  
Registration No. 45,796  
155-108th Avenue N.E., Ste 350  
Bellevue, WA 98004-5901  
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4/29/04

Page 1 of 2



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/644,654✓	08/20/2003✓	3725✓	-007- 636	1984-2-3✓	7✓	36✓	4✓

CONFIRMATION NO. 5430

00996  
 GRAYBEAL, JACKSON, HALEY LLP  
 155 - 108TH AVENUE NE  
 SUITE 350  
 BELLEVUE, WA 98004-5901

**RECEIVED**  
 MAR 12 2004

UPDATED FILING RECEIPT



\*OC000000012069186\*

Date Mailed: 03/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-748-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Lynn P. Tessier, Cochrane, CANADA; ✓  
 Russell M. Graham, ~~Residence Not Provided~~, Calgary, CANADA  
 James B. Graham, Cochrane, CANADA; ✓  
 William D. Burke, High River, CANADA; ✓  
 Fan Jiang, ~~Residence Not Provided~~, Calgary, CANADA

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/042,052 10/18/2001 ✓  
 and claims benefit of 60/480,907 06/23/2003 ✓

## Foreign Applications

If Required, Foreign Filing License Granted: 11/13/2003 ✓

Projected Publication Date: 08/17/2004 ✓

Non-Publication Request: No ✓

Early Publication Request: No ✓

\*\* SMALL ENTITY \*\* ✓

ew  
3/15/04

108  
3/15/04

Page 2 of 2

**Title**

Device and method for comminuting materials ✓

**Preliminary Class**

241

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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PTO/SB/17 (08-03)  
Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL for FY 2003

*Effective 01/01/2003. Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** **(636)**

### METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
 Deposit Account:

Deposit  
Account  
Number

07-1697

Deposit  
Account  
Name

Graybeal Jackson Haley LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity	Small Entity		
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	385
1002 330	2002 185	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ 385)</b>

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
38	-20 -	= 18	X 8 = .144
4	-3 -	= 1	X 42 = 42

Multiple  
Dependent

Large Entity

Large Entity	Small Entity		
Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 18	2202 8	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claims, if not paid ** Reissue independent claims over original patent	
1204 84	2204 42	** Reissue claims in excess of 20 and over original patent	
1205 18	2205 9		
<b>SUBTOTAL (2)</b>			<b>(\$ 188)</b>

\*or number previously paid, if greater; For Reissues, see above

### Complete If Known

Application Number	10/644,654
Filing Date	20 August 2003
First Named Inventor	Lynn P. Tessier
Examiner Name	
Art Unit	3725
Attorney Docket No.	1984-2-3

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity	Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
1051 130	2051 65	SurchARGE - late filing fee or cash	65	
1052 50	2052 25	SurchARGE - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1281 110	2231 66	Extension for reply within first month		
1282 410	2232 206	Extension for reply within second month		
1253 930	2283 485	Extension for reply within third month		
1254 1,450	2264 725	Extension for reply within fourth month		
1255 1,970	2285 885	Extension for reply within fifth month		
1401 320	2401 160	Notice of Appeal		
1402 320	2402 160	Filing a brief in support of an appeal		
1403 260	2403 140	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,300	2483 650	Petition to revive - unintentional		
1501 1,300	2501 650	Utility issue fee (or reissue)		
1502 470	2502 235	Design issue fee		
1503 630	2503 315	Plant issue fee		
1450 130	1460 130	Petitions to the Commissioner		
1807 60	1807 60	Processing fee under 37 CFR 1.17 (q)		
1808 190	1808 180	Submission of Information Disclosure Stmt		
6021 40	6021 40	Recording each patent assignment per property (times number of properties)		
1809 750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))		
1810 750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))		
1801 750	2801 375	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

**(\$ 66)**

### SUBMITTED BY

Name (Print/Type)	John M. Janesay	Registration No. (Attorney/Agent)	45,798	Telephone	425-455-5576	Complete If Applicable
Signature				Date	13 January 2004	

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-787-9199) and select option 2.

**GRAYBEAL JACKSON HALEY LLP****21595**

Newtech 1984-2-3

Amount: \$636 (\$385 filing fee) (\$186 extra claims) (\$65 late decl.)

App. No.: 10/644,654

**GRAYBEAL JACKSON HALEY, LLP**  
155 108TH AVENUE NE, SUITE 350  
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(425) 455-5575U.S. BANK  
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1-800-673-3553

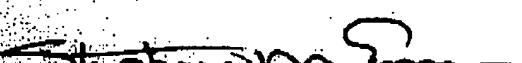
19-10/1250

**21595**

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SIX HUNDRED THIRTY SIX DOLLARS 00/100

DATE: January 13, 2004

AMOUNT:  
**\$636.00**THE  
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SECURITY FEATURES: Details on back.  
E**COMMISSIONER FOR PATENTS**  
AUTHORIZED SIGNATURE

#021595# \* 12500010515350510423#

<b>Applicants:</b>	Lynn P. Tessier et al.
<b>Title:</b>	DEVICE AND METHOD FOR COMMUNTING MATERIALS
<b>Application No.:</b>	10/644,654
<b>Papers Submitted:</b>	Transmittal Form; Copy of Notice to File Missing Parts; Fee Transmittal Form; Check No. 21595 in the amount of \$636; Declaration; IDS Transmittal; Form 1449
<b>Sent:</b>	13 January, 2004
<b>Sender:</b>	Tuddy
<b>Docket:</b>	1984-2-3